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Agenda item 5
ILLEGAL ISRAELI ACTIONS IN
OCCUPIED EAST JERUSALEM AND
THE REST OF THE OCCUPIED
PALESTINIAN TERRITORY

SECURITY COUNCIL
Fifty-second year

Report of the Secretary-General submitted in accordance with General Assembly resolution ES-10/3

Addendum

II. INFORMATION PROVIDED BY THE GOVERNMENT OF SWITZERLAND

On 5 November 1997, the Government of Switzerland conveyed to me the following information:

"Since the first document was sent on 7 October 1997 (see A/ES-10/16-S/1997/798/Add.1), the depositary has received 20 additional replies. These replies express the following views:

- One State said that it was in favour of convening the Conference of High Contracting Parties as soon as possible.

- One State said that it agreed that a conference should be convened in accordance with General Assembly resolution ES-10/3 of 15 July 1997.

- One State replied that it had voted in favour of the resolution and could therefore support the proposal made in its paragraph 10.

- One State said that it supported the convening of a conference as recommended in paragraph 10 of the resolution.

- One State said that it had no objection, and therefore supported the proposal to convene a conference of the High Contracting Parties as recommended in paragraph 10 of the resolution.

- One State said that it would participate in the conference when it was convened.

- One State said that it supported and would continue to support all activities aimed at implementing the resolutions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

- One State considered it necessary to hold a preliminary meeting of experts with a view to making it possible to implement the proposal contained in the draft resolution on the implementation in the Occupied Palestinian Territory of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949.

- One State thought that if such a conference were to achieve the desired results, it was necessary that the States concerned agree to be represented in the deliberations and that they should express clearly their will to be bound by the relevant provisions of the conclusions resulting from the conference. That State also said that its Government would give favourable consideration to any proposal and would support any peaceful initiative consistent with resolution ES-10/3, aimed at ending the physical and moral suffering of the civilian populations in the Occupied Palestinian Territory.

- One State indicated that as a first step it would be desirable to convene a group of experts from the States concerned, whose main task would be to consider the political and legal implications of such a conference. Once the group of experts had been consulted, the States parties to the Convention would be in a good position to express their views on the actual idea of such a meeting.

- One State reiterated word for word the joint reply that the State currently presiding over the body of which it is a member had been authorized to transmit, according to which the States members of that body believed that the convening of a conference in the immediate future would, in the present circumstances, risk giving rise to additional complications unless it was carefully prepared, and therefore suggested that the possibilities should be explored of convening a meeting of experts which would be charged with examining the political and legal context before a conference of the High Contracting Parties is convened. The meeting of experts could also examine the broader implications of such a conference.

- One State, a member of the same body as the State mentioned above, said that it wished to refer to the reply which the State currently presiding over that body had transmitted to the Swiss authorities, and likewise reiterated word for word the joint reply.

- Two States, members of the same body as the two mentioned above, said that the joint reply of the State currently presiding over that body was consonant with their position on the question.

- One State member of the same body as the four mentioned above said that the views expressed in the note verbale sent by the State currently presiding over that body were those of its Government.

- One State said that it had supported resolution ES-10/3 and attached priority to the re-establishment and strengthening of humanitarian international law and specifically to respect for the Fourth Geneva Convention by all the parties to the conflict. According to that State, the conference should serve to strengthen the peace negotiations currently under way, which had reached a sensitive stage.

- One State indicated that it had no major objection to the convening of a conference, provided that the idea was supported by a very large majority of the States parties to the Convention.

- One State said that it approved of the content of the letter of the Government of Switzerland concerning the conference.

- One State said that it saw no urgent need at the present time to convene a conference and that in the immediate future it would be better to follow closely the progress of the negotiations between the parties.

- One State did not believe that such a conference would be useful or necessary at the present time or that it would foster the atmosphere of confidence required for progress in the negotiations between the parties to the Middle East peace process. That State consequently did not support the convening of such a conference and would not take part if it were convened.

"In addition to those 20 replies, the depositary received a spontaneous communication from the general delegation of Palestine in Switzerland in which the Palestine Liberation Organization and the Palestinian National Authority affirmed the need to convene a conference of the High Contracting Parties to the Fourth Geneva Convention of 1949 as soon as possible, so as to take practical measures aimed at ensuring respect for the provisions of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to confirm the necessity of respecting them in accordance with common article 1 of the four Conventions of 1949."